

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
v.
JOHNNY RAY WOLFENBARGER,
Defendant.

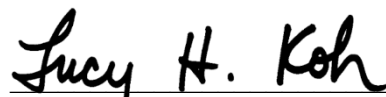
Case No. 16-CR-00519-LHK-1

**ORDER RE: DEVIATIONS FROM
NINTH CIRCUIT MODEL JURY
INSTRUCTIONS**

Both parties' proposed final jury instructions for Counts 1 and 2 deviate from the Ninth Circuit's Model Criminal Jury Instructions. *See* ECF No. 338 (government's proposed instructions); ECF No. 362 (defendant's proposed instructions). The Court's standing order for jury trials provides that "the parties shall use the *Model Jury Instructions of the Ninth Circuit* as much as possible where appropriate." Accordingly, the parties' joint filing of proposed final jury instructions shall justify any deviations from a Model Instruction.

IT IS SO ORDERED.

Dated: August 10, 2021



LUCY H. KOH
United States District Judge